REMARKS

I. Status of the Application

Claims 20, 21, 23, 24, 26-38, 39 and 40 are pending in this application. In the October 31, 2008 final office action, the Examiner:

A. Rejected claims 20, 23, 26, 31, 34-37 and 39-40 under 35 U.S.C. §103(a) as being unpatentable over US 7,042,863 to Morris (hereinafter "Morris") in view of US Pub 2004/0147267 to Hill et al. (hereinafter "Hill");

B. Rejected claims 21 and 24 under 35 U.S.C. §103(a) as being unpatentable over Morris in view of Hill and further in view of US Pub 2003/0103487 to Kim et al.;

C. Rejected claims 27-29 and 32 under 35 U.S.C. §103(a) as being unpatentable over Morris in view of Hill and further in view of Official Notice; and

D. Rejected claim 33 under 35 U.S.C. §103(a) as being unpatentable over Morris in view of Hill and further in view of US 7,292,588 to Milley et al.

In this response, applicants respectfully traverse the prior art rejections of the claims and request favorable reconsideration of the application in view of the following remarks.

II. The Proposed Combination Does Not Arrive at the Invention of Claim 20

As will be discussed below in detail, the proposed combination of Morris and Hill does not arrive at the invention of claim 20. In particular, neither reference, either alone or in combination, teaches or suggests "determining a synchronization parameter for synchronization of the second communication channel, the synchronization parameter

defining a phase offset for data interchange between the master subscriber and each of the first and second slave subscribers via, respectively, the first communication channel and the second communication channel." The Examiner has admitted that Morris fails to disclose this element. (See Final Office Action at p.4).

Instead, the Examiner relies on Hill as providing the teaching of "determining a synchronization parameter for synchronization of the second communication channel, the synchronization parameter defining a phase offset for data interchange between the master subscriber and each of the first and second slave subscribers via, respectively, the first communication channel and the second communication channel." (*Id.*) However, as will be discussed below, however, Hill does not teach or suggest this limitation.

A. The Claimed Synchronization Parameter Defines in Part a Phase Offset for Data Interchange Between the Master Subscriber and the First Slave Subscriber

The claim element in question includes "determining a synchronization parameter for synchronization of the second communication channel", wherein "the synchronization parameter [defines] a phase offset for data interchange between the master subscriber and ... the *first* ... slave subscriber...." Thus the synchronization parameter for the *second* communication channel (between the master and second slave subscriber) involves the phase offset between the master and the first slave subscriber. As a consequence, the synchronization parameter for the second communication channel is not merely the phase offset for the second communication channel.

B. Hill Does Not Teach or Suggest Determining a Synchronization Parameter for a Second Channel that in Any Way Defines a Phase Offset in a First Channel

The Examiner cites paragraph 27 of Hill as teaching the subject step of determining a synchronization parameter. (Final Office Action at p.4). To the extent this paragraph relates to determining a synchronization parameter, it does not teach or suggest determining a synchronization parameter for synchronizing a *second* channel that further defines a phase offset for a *first* channel. To this end, the cited passage of paragraph 27 is set forth below:

> [0027] If multiple piconets cover the same area, a unit can participate in two or more overlaying piconets by applying time multiplexing. *To participate on the proper channel, it should use the associated master device address and proper clock offset to obtain the correct phase.* A Bluetooth unit can act as a slave in several piconets, but only as a master in a single piconet.

(Hill at paragraph [0027]).

The use of a "master device address and proper clock offset to obtain the correct phase" does not involve, much less define or include, the phase offset of any *other* master and slave communication channel.

Nevertheless, the Examiner has further argued that the master subscriber of one channel may be the slave subscriber on another, and that this combined with the teachings of paragraph 27 teaches or suggests "determining a synchronization parameter for synchronization of the second communication channel, the synchronization parameter defining a phase offset for data interchange between the master subscriber and each of the first and second slave subscribers via, respectively, the first communication channel and the second communication channel." (Final Office Action at p.5).

Applicants respectfully disagree. As an initial matter, it appears to the applicant that the Examiner is suggesting the following arrangement:

Master1 → Slave1/Master2 → Slave2

wherein the middle unit (S1/M2) is both a slave to Master1 (M1), and a master to Slave2 (S2). In this arrangement, the first communication channel would presumably be M1 to S1/M2, and the second communication channel would presumably be S1/M2 to S2.

With regard to the claim element, it is not clear how determining a synchronization parameter for synchronizing the second channel between S1/M2 and S2 would define a phase offset for the channel communications between M1 and S1/M2. It simply appears that from paragraph 27 of Hill that each channel merely determines its phase offset using a clock offset, and not using any parameter involving the other channel.

For at least this reason, it is respectfully submitted that Hill does not teach or suggest "determining a synchronization parameter for synchronization of the second communication channel, the synchronization parameter defining a phase offset for data interchange between the master subscriber and each of the first and second slave subscribers via, respectively, the first communication channel and the second communication channel."

C. Hill Does Not Teach First and Second Communication Channels Involving First and Second Slave Subscribers and the Same Master

Secondly, even if it were assumed that Hill *does* determine a synchronization parameter for synchronizing the second channel between S1/M2 and S2 in a way that defines

channel and second communication channel involve two different slave subscribers communicating with the *same* master subscriber, as recited in claim 20.

D. Conclusion as to Claim 20

For the foregoing reasons, it is respectfully submitted that neither Hill nor Morris, either alone or in combination, teach or suggest "determining a synchronization parameter for synchronization of the second communication channel, the synchronization parameter defining a phase offset for data interchange between the master subscriber and each of the first and second slave subscribers via, respectively, the first communication channel and the second communication channel." For at least this reason, it is respectfully submitted that the rejection of claim 20 is in error and should be withdrawn.

III. Claim 34

Claim 34 also stands rejected as being unpatentable over Morris in view of Hill. Claim 34, similar to claim 20, recites a device that is configured "...to determine synchronization parameters for synchronization of the second communication channel, the synchronization parameters defining a phase offset for data interchange between the master subscriber and each of the first and second slave subscribers via, respectively, the first communication channel and the second communication channel." Therefore, the arguments presented above for the patentability of claim 20 are applicable to claim 34. Accordingly, for at least those reasons discussed above in connection with claim 20, it is respectfully submitted that the obviousness rejection of claim 34 should be withdrawn.

IV. Claims 21, 23, 24, 26-33, 35-37, 39 and 40

Claims 21, 23, 24, 26-37, 39 and 40 were rejected as allegedly being obvious over Morris and Hill and in some cases further in view of additional references. Claims 21, 23, 24, 26-37, 39 and 40 depend directly or indirectly from and incorporate all of the limitations of their respective base claims 20 and 34. Accordingly, for at least the same reasons as those set forth above in connection with claims 20 and 34, it is respectfully submitted that the rejection of claims 21, 23, 24, 26-37, 39 and 40 should be withdrawn as well.

V. Conclusion

For all of the foregoing reasons, it is respectfully submitted the applicant has made a patentable contribution to the art. Favorable reconsideration and allowance of this application is therefore respectfully requested.

In the event applicant has inadvertently overlooked the need for an extension of time or payment of an additional fee, the applicant conditionally petitions therefore, and authorizes any fee deficiency to be charged to deposit account 13-0014.

Respectfully submitted,

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